

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
Greenbelt Division**

IN RE:

JOHANNES ALLENDER,

Debtor

Case No. 21-16900

Chapter 7

LUCAS DELCID,

A.P. No. 22-00021-MCR

DANIELLE HARRIS,

MILENA RADULOVIC,

*On Behalf of Themselves and All Others
Similarly Situated,*

Movants.

PLAINTIFFS' RESPONSE TO THE COURT'S ORDER TO SHOW CAUSE

Lucas Delcid, Danielle Harris, and Milena Radulovic ("Plaintiffs"), on behalf of themselves and all others similarly situated, hereby file this Response to the Court's Order to Show Cause, and, for the reasons stated herein, respectfully request that the Court not dismiss this action at this time. In support of this Response, Plaintiffs respectfully represent as follows:

1. On January 13, 2023, Plaintiffs filed a Motion for Preliminary Approval of the Class and FLSA Collective Action Settlement and Certification of the Proposed Rule 23 Classes in the District of Maryland, seeking approval of their settlement with Debtor Johannes Allender ("Allender"). *See* Case No. 8:20-cv-03167-MJM, ECF No. 80.
2. On March 21, 2023, the District of Maryland granted preliminary approval of the Plaintiffs' settlement with Allender. *Id.*, ECF No. 82.

3. Upon preliminary approval of the settlement, Plaintiffs began the process of facilitating settlement funding and developing a plan of notice and distribution of settlement funds to absent class and FLSA collective action members. Plaintiffs have been in contact with Allender regarding this process.
4. Plaintiffs are required to provide notice of the settlement and then afford a period of time for absent class members to opt-out or object to the settlement. Once that period of time has passed, Plaintiffs intend to promptly file a motion for final approval of the Allender settlement.
5. Plaintiffs cannot reasonably predict precise timing for completion of this process given the need for district court approval at various points. That said, Plaintiffs intend to file no later than June 26, 2023 a Motion for Approval of the Form and Manner of Class Notice proposing the following schedule to expeditiously complete the remaining steps to obtain final approval of the Allender settlement:

Event	Deadline
Commencement of Direct Notice to the Class	30 days from granting of Plaintiffs' Motion for Approval of the Form and Manner of Class Notice and Appointment of Settlement Administrator
Commencement of Publication Notice to the Class	30 days from granting of Plaintiffs' Motion for Approval of the Form and Manner of Class Notice and Appointment of Settlement Administrator
Deadline for Class Members to Opt Out of the Class or Object to the Settlements	60 days from Notice to the Class
Plaintiffs' Notice to the Court Identifying Persons or Entities Requesting Exclusion from the Class and Completion of the Notice Program	14 days from Deadline for Class Members to Opt Out
Submission of Motion and Memorandum in Support of Final Approval of the Settlement Agreements and Any Responses by Parties to Any Objections Filed by any Class Members	14 days from Plaintiffs' Notice to the Court Identifying Persons or Entities Requesting Exclusion from the Class and Completion of the Notice Program

Fairness Hearing	Date to be set at the Court's convenience as soon as promptly practicable after preceding deadline
Claims Deadline	30 days from Fairness Hearing

6. Upon final approval of Plaintiffs' settlement with Johannes Allender by the district court, the adversary proceeding will be resolved and Plaintiffs will be in favor of dismissal of this action. Within five (5) business days from such final approval, Plaintiffs will file an appropriate notice with this Court confirming that this adversary proceeding can be closed.

Dated: June 6, 2023

Respectfully Submitted,

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